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August 26, 2008

*By ECF and FedEx*

Honorable Laura T. Swain  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, Room 755  
New York, New York 10007

RE: *UBS AG v. Kaiser Foundation Hospitals*  
Civil Action No. 08-7161 (LTS)(THK)

Dear Judge Swain,

We represent Kaiser Foundation Hospitals ("Kaiser") in the above-referenced action. In accordance with Your Honor's Individual Practices, we write to request an extension of Kaiser's response to the complaint in this action and represent the following:

- (1) The time to answer, move or otherwise respond expires September 2, 2008;
- (2) No previous requests for adjournment or extension have been made;
- (3) Counsel for plaintiff has agreed to extend Kaiser's time to answer, move or otherwise respond to the complaint by 20 days to September 22, 2008; and
- (4) The requested extension would not affect any other scheduled date.

We respectfully request that Your Honor so order the agreed upon response date of September 22, 2008. If Your Honor has any questions concerning the above, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink that reads "Joseph B. Koczko". The signature is stylized with a large, flowing "J" and "K".

Joseph B. Koczko (JK 7259)

So Ordered.

\_\_\_\_\_  
Judge Laura T. Swain  
United States District Court Judge  
Eastern District of New York

cc: Scott A. Edelman, Esq. (by ECF and First-Class Mail)

Joseph.Koczko@ThompsonHine.com Phone 212.908.3923 Fax 212.344.6101

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